

Exhibit 17

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CF 135 FLAT LLC, CF 135)
WEST MEMBERS LLC)
and THE CHETRIT GROUP, LLC,)
) Case No.
) 15-cv-05345-AJN
)
Interpleader Plaintiffs,)
)
-against-)
TRIADOU SPV S.A., CITY OF ALMATY,)
a foreign city, and BTA Bank,) AMENDED CROSS-
) CLAIMS
Interpleader Defendants.)
)
)
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)
CITY OF ALMATY, KAZAKHSTAN)
and BTA BANK,)
)
Crossclaim Plaintiffs,)
)
)
-against-)
)
MUKHTAR ABLYAZOV,)
VIKTOR KHRAPUNOV,)
ILYAS KHRAPUNOV,)
TRIADOU SPV S.A.,)
and FBME BANK LTD.,)
)
Crossclaim Defendants.)
)
)
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VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION

of
MR. NICOLAS BOURG (DAY ONE)
On Monday, 11th September 2017

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2 MR. KENNEY: Fine.

3 THE VIDEOGRAPHER: We are going off
4 the record. The time is 12.10 p.m.

5 (Off the record st 12.10 p.m.)

6 (On the record at 1.27 p.m.)

7 THE VIDEOGRAPHER: We are back on
8 the record. The time is 1.27 p.m.

9 BY MR. SKINNER:

10 Q. Mr. Bourg, welcome back. Let me
11 direct your attention to the end of 2013. Did
12 there come a time at the end of 2013 when you had
13 a meeting with Mr. Ilyas Khrapunov where you
14 discussed some documents that he had obtained?

15 A. Yes.

16 Q. And where did this meeting take
17 place?

18 A. In the Geneva offices.

19 Q. The offices where you and
20 Mr. Khrapunov had offices physically located next
21 to each other?

22 A. Yes.

23 Q. And who was at this meeting?

24 A. Ilyas, Laurent Foucher and myself.

25 Q. And what happened at this meeting?

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2 A. Well, it was end of afternoon
3 informal meeting. Ilyas showed us a pile of
4 documents and claimed that this was proof of
5 hacking, and he maintained that this was hacking
6 of the -- into the accounts of the French
7 prosecution authorities and the Kazak -- Kazak
8 prosecution.

9 Q. So this is what Mr. Ilyas Khrapunov
10 told you?

11 THE WITNESS: Oui.

12 BY MR. SKINNER:

13 Q. And when you say there was a pile
14 of documents, there was a physical printout of
15 documents that you saw?

16 A. (Through the Interpreter) Yes.

17 Q. What, if anything, did he say with
18 respect to who had done the hacking?

19 A. He told me about an Israeli society
20 -- company.

21 Q. Did Mr. Khrapunov explain what his
22 arrangement was with this Israeli hacking company
23 that allowed him to obtain these documents?

24 A. No, he just said that he received
25 all these documents every week in printed form,

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2 and that he paid every week the sum of \$200,000
3 for this service.

4 Q. Did you have any conversation with
5 him with respect to the size of the amount that he
6 was paying?

7 A. No.

8 Q. You said that he indicated that he
9 had documents from French authorities; is that
10 right?

11 A. Yes, from the French prosecution in
12 the Ablyazov case -- the prosecutor.

13 Q. Were there documents from any other
14 government authorities other than the French
15 authorities?

16 A. Yes, he said that there was some
17 from the Kazakhstani prosecutor.

18 Q. Anyone else, other than the French
19 and the Kazakhstani authorities?

20 A. Not as far as -- not as far as
21 I know, or at least not what he told me.

22 Q. What would happen, if you know, in
23 connection with Mr. Ablyazov's case with the
24 French authorities at that point in time; did you
25 talk to Mr. Khrapunov about this?

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2 A. In what respect?

3 Q. Well, were there on-going
4 proceedings in court involving Mr. Ablyazov in
5 France?

6 A. He had just been imprisoned at that
7 time and Ukraine, Russia and Kazakhstan were all
8 asking for his extradition.

9 Q. Was he in French custody at the
10 time you had this conversation with Mr. Ilyas
11 Khrapunov about the Israeli hacking?

12 A. Was he in custody?

13 Q. Yes.

14 A. No, he was in prison; he was in
15 custody, but in prison.

16 Q. What, if anything, did
17 Mr. Khrapunov say about why he was paying hackers
18 \$200,000 a week to obtain these documents?

19 MR. HASSID: Objection.

20 A. I think it was all part of their
21 strategy to, discover the exchanges which were
22 taking place between prosecutors of various
23 countries and to find a loophole in it.

24 BY MR. SKINNER:

25 Q. Is that what you think, or is that

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2 what he said?

3 A. I don't recall.

4 MR. HASSID: I objected after the
5 question: "What, if anything, did Mr. Khrapunov
6 say..." Yes, I am sorry, I will talk louder.

7 BY MR. SKINNER:

8 Q. Just to make sure I understand,
9 Mr. Bourg, is it your understanding that the
10 hacking was part of a strategy to discover what
11 was taking place between the prosecutors, but you
12 do not know the basis for that understanding?

13 MR. KENNEY: Objection as to form.

14 A. No, to tell you the truth I cannot
15 confirm that he said it, I cannot remember, but it
16 was clear that was what the whole thing was about,
17 it was about a strategy.

18 MR. SKINNER: We do not have
19 anything further, thank you.

20 THE VIDEOGRAPHER: The time is
21 2.35.

22 QUESTIONS BY MR. HASSID.

23 BY MR. HASSID:

24 Q. Thank you very much. Good
25 afternoon, Mr. Bourg. My name is Alex Hassid and